

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

R. EDWARD ROBERTSON, SANDY W.  
THOMPSON, BARON BRUMLEY AND  
JUDE BACA,

Plaintiffs,

Civ. No. 02-1303 MV/DJS

vs.

CITY OF ALBUQUERQUE and the CITY  
COUNCIL AS ITS FINAL VOTING  
AUTHORITY,

Defendants,

and

WESTSIDE EQUESTRIAN  
ASSOCIATION, INC., and THE TAYLOR  
RANCH NEIGHBORHOOD  
ASSOCIATION,

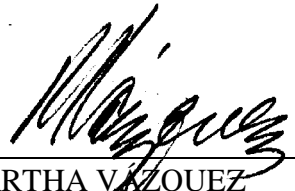
Interested Parties.

**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** comes before the Court on Plaintiff's Motion to Reinstate Case to Active Docket, filed November 22, 2004 [**Doc. No. 20**]. On December 10, 2002, the Court entered a stipulated order remanding a portion of this case to the Second Judicial District Court, State of New Mexico, for determination of a zoning issue and staying Plaintiffs' civil rights claims pending the zoning determination. The Second Judicial District Court entered its opinion on the zoning issue on September 8, 2004. This opinion was appealed to the New Mexico Court of Appeals, which denied the petition for writ of certiorari on or about January 6, 2005. The decision was not appealed to the Supreme Court of New Mexico.

**IT IS THEREFORE ORDERED** that Plaintiff's Motion to Reinstate Case to Active Docket, filed November 22, 2004, [**Doc. No. 20**] is hereby **GRANTED**. The stay in this case is hereby lifted and the case is reinstated to the active docket.

Dated this 11th day of May, 2005.

  
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MARTHA VALQUEZ  
UNITED STATES DISTRICT JUDGE